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Attorneys for Defendants

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

BIOSCIENCE ADVISORS, INC.,

Plaintiff,
v.

UNITED STATES SECURITIES AND
EXCHANGE COMMISSION, *et al.*,

Defendants.

Civil Action No. 4:21-CV-0866-HSG

**STIPULATION AND ORDER
REGARDING LEAVE TO FILE
EXCESS PAGES**

Plaintiff and Defendants (“parties”), by and through undersigned counsel, hereby submit the following Stipulation requesting that the Court enter an order providing leave for Defendants to file a memorandum in excess of the page limit set forth in Local Rule 7-2(b). In support of this stipulation, the parties state as follows:

1. Pursuant to the Court’s May 16, 2022 Order, ECF No. 56, Defendants’ motion for summary judgment is currently due on May 24, 2022.

2. Pursuant to Local Rule 7-2(b), a motion and accompanying memorandum of points and authorities may not exceed 25 pages without leave of court.

3. Plaintiff’s Second Amended Complaint in this action advances four claims for relief under the Administrative Procedure Act (“APA”) and the Freedom of Information Act (“FOIA”) against two separate government agencies, and many the claims raise multiple distinct issues.

For

example, Plaintiff's First Claim for Relief challenges both the National Archives and Records Administration's approval of the challenged records schedule and the SEC's adoption of that records schedule, and Plaintiff's Fourth Claim for Relief challenges the SEC's response to hundreds of FOIA requests submitted by Plaintiff.

4. Due to the number of issues raised in the Second Amended Complaint, Defendants believe that they need additional pages in order to fully brief each of these issues, and that the Court would benefit from that additional briefing.

5. The parties have agreed, subject to the Court's approval, that Defendants may file a memorandum of points and authorities in support of their motion for summary judgment of up to 35 pages.

IT IS SO STIPULATED THIS 24TH DAY OF MAY 2022:

KUNZLER BEAN & ADAMSON, PC

/s/ Chad S. Pehrson
Chad S. Pehrson

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ORDER

Dated: 5/24/2022

